

#3

5822-P1-01-CA

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Booth et al.

EXAMINER : Not yet assigned

SERIAL NO. : 10/021,633

ART UNIT : 1625

FILED : December 12, 2001

PAPER NO : 1

FOR : AMIDE INHIBITORS OF MICROSOMAL TRIGLYCERIDE TRANSFER
PROTEINOIP
MAR 28 2002Response to Notification of Missing Requirements Under 37 CFR 1.53(b)Commissioner for Patents
Box PCT
Washington, D.C. 20231

Dear Sir:

This paper is in response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office, dated January 2, 2002. In the Notification of Missing Requirements, the Office has indicated that the Applicant has not submitted the Oath and Declaration of the inventors, in compliance with 37 CFR 1.497 and has required that the Applicant furnish same in order to complete the requirements for acceptance under 35 U.S.C. 371.

The Applicants have enclosed the required Oath and Declaration. As such, the Applicants respectfully submit that the requirements have been met and request acceptance of the above-identified application under 25 U.S.C. 371.

It is understood by the Applicants that under 37 CFR 1.16(I) this paper requires a fee of \$130.00. Authorization is given to charge to charge this fee and any other necessary filing fees or credit any overpayment to Deposit Account 23-0455.

Response to Missing parts 35 USC 371

10/021,633

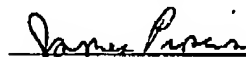
-2-

5822-P1-01-CA

The Applicants submit that this application is now in condition for allowance, which allowance is respectfully solicited.

Dated: 1/24/02

Respectfully submitted,



James Proscia

Registration No. 47,010

Warner-Lambert Company

2800 Plymouth Road

Ann Arbor, MI 48105

Telephone: (734) 622-4047

Facsimile: (734) 622-1553

Response to Missing parts 35 USC 371

Received from <7346222928> at 3/28/02 2:18:39 PM [Eastern Standard Time]

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

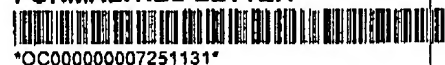
COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20230
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/021,633	12/12/2001	Richard John Booth	5822-P1-01-JP

OIPF

CONFIRMATION NO. 9641 MAR 28 2002

FORMALITIES LETTER



OC000000007251131

James Proscia
Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105

Date Mailed: 01/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/26/2002 SSALEEKU 00000015 230455 10021633

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Mar-28-2002 02:16pm

From-

PATENT PFIZER ANN ARBOR MI

7346222928

T-063 P.004/013 F-792

THE UNITED STATES PATENT AND TRADEMARK OFFICE S IN RECEIPT OF:

1. TRANSMITTAL LETTER (1 PG)
 2. COPY OF NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) (1 PG)
 3. RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (2 PGS)
 4. DECLARATION AND POWER OF ATTORNEY (4 PAGES)
 5. FEE TRANSMITTAL (1 PAGE)
 6. AUTHORIZATION IS GIVEN TO CHARGE THE NECESSARY FILING FEES AND ANY ADDITIONAL FEES OR CREDIT ANY OVERPAYMENT DEPOSIT ACCOUNT 23-0455.
 7. RETURN POSTCARD
- INVENTOR(S) BOOTH ET AL.
INVENTION ENTITLED "AMIDE INHIBITORS OF MICROSOMAL TRIGLYCERIDE
TRANSFER PROTEIN"

USPN 10/021,633
JANUARY 24, 2002
JP:ENG



FILED: December 12, 2001

5822-P1-01-CA

RECEIVED

APATENT & DEP

MAR 9 2002

MAR 28 2002

MAR 28 2002

Please type a plus sign (+) inside this box → ☐Approved for use, through 09/30/2000, OMB 061-1-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/021,633	
	Filing Date	December 12, 2001	
	First Named Inventor	Booth et al.	
	Group Art Unit	1625	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	7	Attorney Docket Number	5822-P1-01-CA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Notification of Missing Requirements
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	Oath and Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	Return Postcard
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James Proscia, Reg. No. 47,010
Signature	<i>James Proscia</i>
Date	1/24/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 1/24/02	
Typed or printed name	Beth N. Gaines
Signature	<i>Beth N. Gaines</i>
Date	1/24/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SS/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	10/021,633
Filing Date	12/12/2001
First Named Inventor	Booth et al.
Examiner Name	1625
Group Art Unit	Not Yet Assigned
Attorney Docket No.	5822-P1-01-CA

TOTAL AMOUNT OF PAYMENT (\$) 130.00

OIFE
MAR 28 2002

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																								
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: <u>23-0455</u> Deposit Account Name: <u>Warner-Lambert Company</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity (\$)</th> <th>Small Entity (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>130.00</td> </tr> <tr> <td>127</td> <td>60</td> <td>227</td> <td>26</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>185</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - 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late filing fee or oath	130.00	127	60	227	26	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	185	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		128	180	128	180	Submission of Information Disclosure Sum		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____					SUBTOTAL (3) (\$)				130.00
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*or number previously paid, if greater; For Reissues, see above		*Reduced by Basic Filing Fee Paid																																																																																																																																																																																								

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	James Proscia	Registration No. (Attorney/Agent)	47,010
Signature	<i>James Proscia</i>	Telephone	734-622-4047
		Date	01/24/2001

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